



# CITY OF ARCHDALE

## CITY COUNCIL

**MEETING DATE:** Tuesday January 25, 2022

**SUBJECT:** Public Hearing (Continued from November 23, 2021): Text Amendment to the Zoning Ordinance; Article III, Addition of Section 3.24 (Mobile Food Vendor Regulations); Article XVII, Section 17.4 (General Definitions).

**RECOMMENDATIONS OR COMMENTS:** The following is a potential text amendment to the City's Zoning Ordinance and enable the regulation of Mobile Food Vendors. The text amendment is a revised version of the ordinance presented at the November 23, 2021 City Council meeting. The ordinance was written with consideration given to the comments provided by members of the public at said meeting as well as recommendations made by the Planning and Zoning Board at their November 1, 2021 meeting. This ordinance would amend the City's Zoning Ordinance by enabling the regulation of Mobile Food Vendors.

**SUMMARY OF INFORMATION:** Revised Zoning Ordinance Amendment (Article III Section 3.24) and Proposed Zoning Ordinance Amendment (Article XVII, Section 17.4.1).

**ATTACHMENTS:**             YES     NO

### **Section 3.24**

### **Mobile Food Vendor Regulations**

Mobile Food Vendors shall be defined as any movable trailer or motorized vehicle, regulated by the North Carolina Department of Health, when applicable, which is intended for the purpose of selling prepared food or non-alcoholic beverages.

All Mobile Food Vendors shall meet the following requirements:

1. Mobile Food Vendors shall be prohibited from conducting sales on public property, public right-of-way, or public roads, unless otherwise authorized by the City of Archdale.
2. All activities related to the Mobile Food Vendor's operation - including but not limited to queuing, ordering, waiting, etc. - shall not block or impede any driveway or lane of travel.
3. Mobile Food Vendors shall be prohibited from utilizing any portion of a designated handicapped parking space.
4. Mobile Food Vendors must be located at least 100 feet away from the primary entrance of any restaurant unless the Mobile Food Vendor is located on the same parcel and is authorized by said restaurant owner.
5. Mobile Food Vendors must be located at least 5 feet away from all property lines.
6. Mobile Food Vendors must be located at least 5 feet away from any driveway entrance, public street, utility box or vault, handicapped ramp, and sidewalk.
7. Mobile Food Vendors must be located at least 15 feet away from any fire hydrant.
8. Mobile Food Vendors must be located at least 10 feet away from the nearest building.
9. Signage associated with the Mobile Food Vendor shall be limited to signs permanently attached to the vehicle and/or one portable menu sign, no more than six (6) square feet in display area, located on the ground in the customer waiting area. Under no circumstances shall menu signs associated with the Mobile Food Vendor impede traffic/visibility, be located within the public right-of-way, or block sidewalks.
10. Mobile Food Vendors shall be prohibited from conducting sales on the same parcel for more than 12 hours within a 24-hour period.
11. Mobile Food Vendors shall be prohibited from operating on parcels with no primary building or use for more than 5 days within a single month. Overnight storage of Mobile Food Vendors shall be prohibited on parcels with no primary use.
12. Mobile Food Vendors conducting sales after-dark shall provide appropriate lighting that is located, screened, or shielded to prevent direct glare onto neighboring lots or the impairment of passing motorists.
13. The Mobile Food Vendor shall be responsible for the proper disposal of all trash or waste associated with the operation.
14. In no case shall the Mobile Food Vendor dispose of any solid or liquid waste into sanitary sewer lines, public storm drains, or onto sidewalks, streets, or other public space.
15. Mobile Food Vendors shall have a valid permit from the North Carolina Department of Health. The permit shall be placed in a conspicuous manner for public inspection.

**Section 17.4.1**      **General Definitions**

Mobile Food Vendor. Any movable trailer or motorized vehicle, regulated by the North Carolina Department of Health, when applicable, which is intended for the purpose of selling prepared food or non-alcoholic beverages.